

No. _____

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

APPALACHIAN VOICES; WILD VIRGINIA; WEST VIRGINIA RIVERS
COALITION; PRESERVE GILES COUNTY; PRESERVE BENT MOUNTAIN,
a chapter of Blue Ridge Environmental Defense League; WEST VIRGINIA
HIGHLANDS CONSERVANCY; INDIAN CREEK WATERSHED
ASSOCIATION; SIERRA CLUB; CHESAPEAKE CLIMATE ACTION
NETWORK; and CENTER FOR BIOLOGICAL DIVERSITY

Petitioners,

v.

UNITED STATES DEPARTMENT OF THE INTERIOR;
DEB HAALAND, in her official capacity as Secretary of the U.S. Department of
the Interior; UNITED STATES FISH AND WILDLIFE SERVICE, an agency of
the U.S. Department of Interior; MARTHA WILLIAMS, in her official capacity as
Director of the U.S. Fish and Wildlife Service; and CINDY SCHULZ, in her
official capacity as Field Supervisor, Virginia Ecological Services, Responsible
Official

Respondents.

JOINT PETITION FOR REVIEW

Pursuant to the Administrative Procedure Act, 5 U.S.C. §702, Section 19(d)(1)
of the Natural Gas Act, 15 U.S.C. §717r(d)(1), and Federal Rule of Appellate
Procedure 15(a), Appalachian Voices, Wild Virginia, West Virginia Rivers Coalition,
Preserve Giles County, Preserve Bent Mountain (a chapter of Blue Ridge
Environmental Defense League), West Virginia Highlands Conservancy, Indian

Creek Watershed Association, Sierra Club, Chesapeake Climate Action Network, and Center for Biological Diversity hereby petition this Court for review of the United States Fish and Wildlife Service’s Biological Opinion and Incidental Take Statement, dated February 28, 2023, for the Mountain Valley Pipeline. In accordance with Local Rule 15(b), a copy of the Biological Opinion and Incidental Take Statement is attached hereto as Exhibit A.

In accordance with Rule 15(c) of the Federal Rules of Appellate Procedure, parties that may have been admitted to participate in the underlying procedure have been served with a copy of this Petition. Pursuant to Local Rule 15(b), attached hereto is a list of Respondents specifically identifying the Respondents’ names and addresses.

In accordance with the Natural Gas Act, 15 U.S.C. §717r(d)(5), this matter “shall [be] set ... for expedited consideration.”

DATED: April 10, 2023

Respectfully submitted,

/s/ Elizabeth F. Benson
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 Coalition, Preserve Giles County, Preserve*

*Bent Mountain, West Virginia Highlands
Conservancy, Indian Creek Watershed
Association, Sierra Club, Chesapeake
Climate Action Network, and Center for
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Bent Mountain, West Virginia Highlands
Conservancy, Indian Creek Watershed
Association, Chesapeake Climate Action
Network, and Center for Biological
Diversity*

LIST OF RESPONDENTS

Pursuant to Local Rule 15(b), Petitioners hereby provide a list of Respondents, specifically identifying the Respondents' names and the addresses where Respondents may be served with copies of the Joint Petition for Review:

United States Department of the Interior
1849 C Street, NW
Washington, D.C. 20240

Deb Haaland
Secretary
U.S. Department of the Interior
1849 C Street, NW
Washington D.C. 20240

United States Fish and Wildlife Service
1849 C Street, NW
Washington, D.C. 20240

Martha Williams
Director
United States Fish and Wildlife Service
1849 C Street, NW
Room 3331
Washington, D.C. 20240-0001

Cindy Schulz
Field Supervisor
Virginia Ecological Services
United States Fish and Wildlife Service
6669 Short Lane
Gloucester, VA 23061

CERTIFICATE OF SERVICE

In accordance with Federal Rules of Appellate Procedure 15(c)(1) & (2), the undersigned hereby certifies that a true copy of this Petition for Review was served on each of the following entities that may have been admitted to participate in the agency proceedings and/or their counsel:

Mountain Valley Pipeline, LLC
c/o CT Corporation System
Registered Agent
4701 Cox Rd Ste 285
Glen Allen, VA 23060

Todd Normane
Deputy General Counsel
Equitrans Midstream Corporation
2200 Energy Drive
Canonsburg, PA 15317

Kimberly Bose
Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, D.C. 20426

DATED: April 10, 2023

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Conservancy, Indian Creek Watershed
Association, Sierra Club, Chesapeake
Climate Action Network, and Center for
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